

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Joye S.,¹

Civ. No. 24-2784 (JWB-DLM)

Plaintiff,

v.

**ORDER ACCEPTING
REPORT AND RECOMMENDATION
OF MAGISTRATE JUDGE**

Frank Bisignano,
Commissioner of Social Security,

Defendant.

Clifford Michael Farrell, Esq., Manring & Farrell; and Edward C. Olson, Esq., Reitan Law Office, counsel for Plaintiff.

Ana H. Voss, Esq., United States Attorney's Office; James Potter, Esq., James D. Sides, Esq., and Sophie Doroba, Esq., Social Security Administration, counsel for Defendant.

United States Magistrate Judge Douglas L. Micko issued a Report and Recommendation ("R&R") on April 28, 2025. (Doc. No. 15.) No objections have been filed to that R&R in the time permitted. Absent timely objections, the R&R is reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Having reviewed the R&R, no clear error is found.

Based on the R&R of the Magistrate Judge, and on all files, records, and proceedings in this case, **IT IS HEREBY ORDERED** that:

1. The April 28, 2025 R&R (Doc. No. 15) is **ACCEPTED**;

¹ This District has adopted the policy of using only the first name and last initial of any nongovernmental parties in social security appeals such as the present case.

2. Plaintiff's request for relief (Doc. No. 11) is **GRANTED**;
3. The Commissioner's request for relief (Doc. No. 13) is **DENIED**; and
4. This matter is **REMANDED** to the Social Security Administration pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings and explanation consistent with the R&R. On remand, the ALJ should: (1) explain why Plaintiff's RFC should (or should not) be further limited as to workplace interactions with coworkers and supervisors; and (2) recall a vocational expert for testimony if necessary to address new hypothetical questioning based on a modified RFC.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: June 12, 2025

s/ Jerry W. Blackwell
JERRY W. BLACKWELL
United States District Judge